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HOUSE BILL 39

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Rick Miera

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EDUCATION; PROVIDING FOR AN EDUCATIONAL DATA
WAREHOUSE THAT SERVES PRE-KINDERGARTEN THROUGH POST-GRADUATE
EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] EDUCATION DATA WAREHOUSE.--

A. As used in this section:

(1) "other educational agencies" means other
public agencies and institutions that provide educational
services for resident school-age persons and students in state-
funded private pre-kindergarten programs; and

(2) "pre-kindergarten through post-graduate
system" means an integrated, seamless pre-kindergarten through

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1 post-graduate system of education.

2 B. The department, in consultation with the higher
3 education department and each public post-secondary educational
4 institution, shall create a single, unified pre-kindergarten
5 through post-graduate accountability data system in the
6 department to collect, integrate and report longitudinal
7 student-level and educator data required to implement federally
8 or state-required education performance accountability
9 measures. The components of the data system shall include the
10 use of a common student identifier and an educator identifier
11 system with the ability to match educator data to student data
12 and educator to school, post-secondary education programs and
13 other educational agencies.

14 C. The confidentiality of personally identifiable
15 student data shall be safeguarded consistent with the
16 requirements of the federal Family Educational Rights Privacy
17 Act and applicable state laws. The confidentiality of
18 personally identifiable educator data shall be safeguarded.
19 Consistent with the provisions of federal and state law, the
20 data may be disclosed for educational purposes and longitudinal
21 comparisons, analyses or studies, including those authorized by
22 law.

23 D. Nothing in this section precludes the
24 department, in consultation with school districts and charter
25 schools, the higher education department and each public post-

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1 secondary educational institution, from collecting and
2 distributing aggregate data about students or educators or data
3 about an individual student or educator without personally
4 identifiable information.

5 E. The department, in consultation with school
6 districts and charter schools, the higher education department
7 and each public post-secondary educational institution, shall
8 promulgate rules to carry out the provisions of this section,
9 including security administration requirements and the
10 provision of training for data entry personnel at all levels.

11 F. By December 31 of each year, the department
12 shall submit a data warehouse report to the legislature and to
13 the governor. Prior to submission of the report and
14 publication, the department shall distribute a draft of the
15 report to school districts, charter schools, the higher
16 education department and all public post-secondary educational
17 institutions to allow comment on the draft report.

18 G. The department, in consultation with school
19 districts, charter schools, the higher education department and
20 each public post-secondary educational institution or program,
21 shall develop and adopt the content and a format for the
22 report, including the ability of the data system to:

23 (1) connect student records between the pre-
24 kindergarten through post-graduate systems;

25 (2) connect educator data to student data;

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1 (3) establish and maintain a state data audit
2 system to assess the quality, validity and reliability of data;

3 (4) report student-level enrollment data,
4 demographic and program participation information;

5 (5) match individual students' test records
6 from year to year to measure academic growth, including
7 student-level college readiness test scores;

8 (6) report the number and percentage of
9 untested public school students by school district and by
10 school and by major ethnic groups, special education status,
11 poverty status and gender;

12 (7) provide post-secondary remediation data,
13 including assessment scores on exams used to determine the need
14 for remediation;

15 (8) provide post-secondary remedial course
16 enrollment history, including the number and type of credit and
17 non-credit remedial courses being taken;

18 (9) report retention data that indicates
19 whether students are returning the second fall term after being
20 enrolled as full-time college freshmen and making annual
21 progress toward their degree;

22 (10) report data collected for the teacher
23 education accountability reporting system;

24 (11) report student-level transcript
25 information, including information on courses completed, grades

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1 earned and cumulative grade point average;

2 (12) report high school longitudinal
3 graduation and dropout data, including information that
4 distinguishes between dropouts or students whose whereabouts
5 are unknown and students who have transferred to other schools,
6 including private schools or home schools, other school
7 districts or other states;

8 (13) provide post-secondary student completion
9 status, including information that indicates if students are
10 making annual progress toward their degree;

11 (14) connect performance with financial
12 information at all levels; and

13 (15) provide any other student-level and
14 educator data necessary to assess the performance of the pre-
15 kindergarten through post-graduate system."

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